

REMARKS

The Office Action dated June 27, 2005, has been received and carefully noted. The amendments made herein and the following remarks are submitted as a full and complete response thereto.

Claims 1, 9-14 and 17-20 have been amended. Applicant submits that the amendments made herein are fully supported in the specification and the drawings as originally filed, and therefore no new matter has been added. Accordingly, claims 1-6, 9-15, and 17-20 are pending in the present application and are respectfully submitted for consideration.

Claims 1-6, 9-15 and 17-20 Rejected Under 35 U.S.C. § 102(e)

Claims 1-6, 9-15 and 17-20 were rejected under 35 U.S.C. § 102(e) as being anticipated by Lanzillo, Jr. et al. (U.S. Patent Application No. 2002/0032602A1, hereinafter "Lanzillo"). Claims 1, 9-14 and 17-20 have been amended. To the extent it is still relevant, this rejection is respectfully traversed.

Claim 1 recites a sales promotion controlling system comprising, among other features, a sales promotion controlling device for automatically controlling sales promotion activities for commodities advertised in the direct mail based on the determined result. The sales promotion controlling device obtains a customer number, a commodity code, and a transaction date from a POS register terminal device, and the sales promotion controlling device references bargain information stored in a transaction information managing unit with a key of the obtained commodity code and determines whether or not commodities corresponding to the commodity code are

promotion (bargain) commodities. When the sales promotion controlling device has determined that the commodities corresponding to the obtained commodity code are not the promotion commodities, the sales promotion controlling device sets the sales price to the regular price, stores it as transaction information, and causes the POS register terminal device to output a receipt. When the sales promotion controlling device has determined that the commodities corresponding to the obtained commodity code are promotion commodities, the sales promotion controlling device inquires a customer master managing unit of a FSP server device with a key of the obtained customer number and determines whether the customer corresponding to the customer number is a direct mail recipient. Furthermore, when the sales promotion controlling device has determined that the customer corresponding to the customer code is not a direct mail recipient, the sales promotion controlling device sets the sales price to the regular promotion sales price, stores it as transaction information, and causes the POS register terminal device to output a receipt, and when the sales promotion controlling device has determined that the customer corresponding to the customer number is a direct mail recipient, the POS server device inquires a direct mail open information managing unit of the FSP server device with a key of the obtained customer number and determines whether or not the customer corresponding to the customer number is a direct mail recipient who browsed the direct mail. Also, when the sales promotion controlling device has determined that the customer corresponding to the customer number is not a direct mail browser, the sales promotion controlling device sets the sales price to a direct mail recipient non-browser price, stores it as transaction information, and causes

the POS register terminal device to output a receipt, and when the sales promotion controlling device has determined that the customer corresponding to the customer number is a direct mail browser, the sales promotion controlling device sets the sales price to a direct mail recipient browser price, stores it as transaction information, and causes the POS register terminal device to output a receipt.

Each of claims 9 and 10 recites a processing apparatus comprising the above features with respect to claim 1, among others features respectively.

Each of claims 11-14 recites a sales promotion controlling method comprising, among other various features respectively, obtaining a customer number, a commodity code, and a transaction date from a POS register terminal device, and referencing bargain information stored in a transaction information managing unit with a key of the obtained commodity code and determines whether or not commodities corresponding to the commodity code are promotion (bargain) commodities. When the commodities corresponding to the obtained commodity code are not the promotion commodities, a sales promotion controlling device sets the sales price to the regular price, stores it as transaction information, and causes the POS register terminal device to output a receipt, and when the commodities corresponding to the obtained commodity code are promotion commodities, the sales promotion controlling device inquires a customer master managing unit of a FSP server device with a key of the obtained customer number and determines whether the customer corresponding to the customer number is a direct mail recipient. Furthermore, when the customer corresponding to the customer code is not a direct mail recipient, the sales promotion controlling device sets the sales

price to the regular promotion sales price, stores it as transaction information, and causes the POS register terminal device to output a receipt, and when the customer corresponding to the customer number is a direct mail recipient, a POS server device inquires a direct mail open information managing unit of the FSP server device with a key of the obtained customer number and determines whether or not the customer corresponding to the customer number is a direct mail recipient who browsed the direct mail. Also, when the customer corresponding to the customer number is not a direct mail browser, the sales promotion controlling device sets the sales price to a direct mail recipient non-browser price, stores it as transaction information, and causes the POS register terminal device to output a receipt, and when the customer corresponding to the customer number is a direct mail browser, the sales promotion controlling device sets the sales price to a direct mail recipient browser price, stores it as transaction information, and causes the POS register terminal device to output a receipt.

Moreover, each of claims 17-20 recites a recorded medium from which a computer reads a program comprising the above features, among other features respectively.

It is respectfully submitted that the prior art fails to disclose or suggest at least the above-mentioned features of the Applicant's invention.

Lanzillo merely discloses a system and method for distribution targeted advertisements over a communication network to a set of users or subscribers. However, the system and method as disclosed by Lanzillo is neither comparable nor analogous to the sales promotion controlling system and method of the present

invention because Lanzillo fails to disclose or suggest at least the above discussed limitations.

In order to qualify as prior art under 35 U.S.C. §102, a single prior art reference must teach, i.e., identically describe, each feature of a rejected claim. As explained above, Lanzillo fails to disclose or suggest each and every feature of claims 1, 9-14 and 17-20. Accordingly, Applicant respectfully submits that claims 1, 9-14 and 17-20 are not anticipated by Lanzillo. Therefore, Applicant respectfully submits that claims 1, 9-14 and 17-20 are allowable.

As claims 2-6 depend from claim 1, and claim 15 depends from claim 11, Applicant submits that each of these claims incorporates the patentable aspects therein, and are therefore allowable for at least the reasons set forth above with respect to the independent claims, as well as for the additional subject matter recited therein.

Accordingly, Applicants respectfully request withdrawal of the rejection.


Conclusion

In view of the above, Applicant respectfully submits that each of claims 1-6, 9-15, and 17-20 is in compliance with US patent practice and is distinguishable over prior art. Therefore, Applicant respectfully requests that claims 1-6, 9-15, and 17-20 be found allowable and that this application be passed to issue along with the allowed claims.

If for any reason, the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact the Applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

Any fees that may be due with respect to this paper, may be charged to counsel's
Deposit Account No. 01-2300, referring to client-matter number 101229-00000.

Respectfully submitted,



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